IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of

ACKLEY, JR. et al.

Atty. Ref.: 4389-3

Serial No.

Continuation of U.S. Serial

Group: Unassigned

No. 09/479,549

Filed: October 30, 2003

Examiner: Unassigned

For: METHOD TO PRINT MULTICOLOR IMAGES ON EDIBLE PIECES

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October 30, 2003

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Listed on accompanying Form PTO-1449 is information that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. At least one of the boxes below applies to the present application:

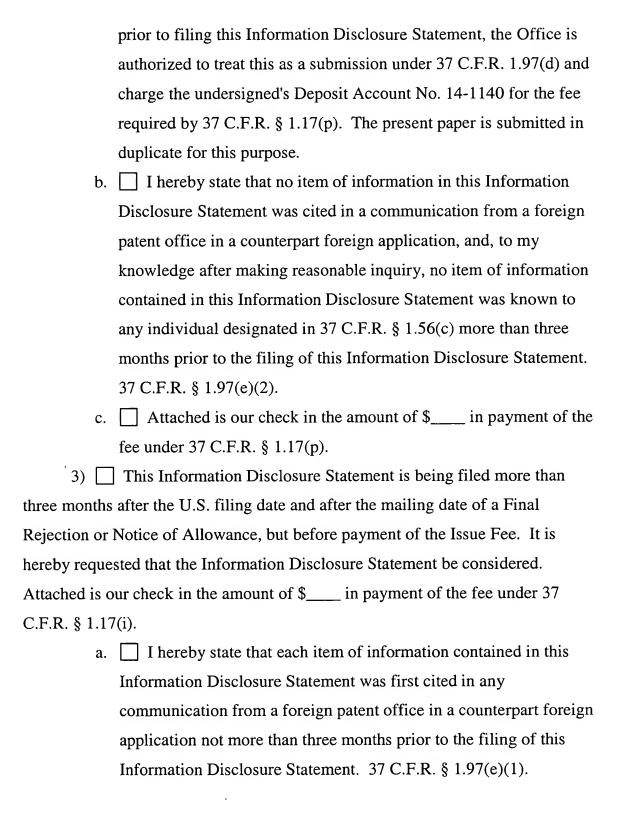
- 1) This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required.
 - a) Contingent Request to Treat Under 37 C.F.R. § 1.97(c)

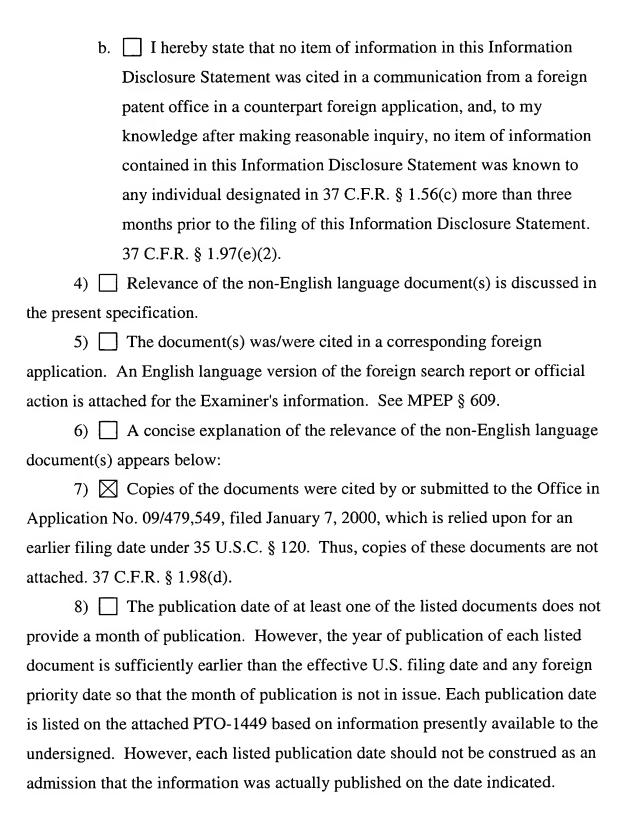
 In the event a first Office Action has been mailed prior to filing of the present Information Disclosure Statement and the Office Action was mailed more than three months since the filing of the

ACKLEY, JR. et al. Continuation of U.S. Serial No. 09/479,549 October 30, 2003

application (for regular applications not including CPAs or RCEs), the Office is requested to treat the present paper as a submission under 37 C.F.R. § 1.97(c) and charge the undersigned's Deposit Account No. 14-1140 for the fee required by 37 C.F.R. § 1.17(p). The present paper is submitted in duplicate for this purpose. b) Contingent Request to Treat Under 37 C.F.R. § 1.97(e)(1) In the event a first Office Action has been mailed prior to the filing of the present Information Disclosure Statement, and the Office Action was mailed more than three months since the filing of the application (for regular applications not including CPAs or RCEs), the Office is requested to treat the present paper as a submission under 37 C.F.R. § 1.97(e)(1) in that the undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1). 2) This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1). In the event a Notice of Allowance or a Final Rejection has been mailed

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ACKLEY, JR. et al.

Continuation of U.S. Serial No. 09/479,549

October 30, 2003

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 14-1140 referencing docket number <u>4389-3</u>.

Respectfully submitted,

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By:

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INFORMATION DISCLOSURE **CITATION**

4389-3

Applicant

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(Use several sheets if necessary)

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Group

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			U.S. PATENT DOCUMENTS	- 10 10 10 10 10 10 10 10 10 10 10 10 10 1	· -		
EXAMINER	DOCUMENT NUMBER					FILING	DATE
INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	IF APPRO	<u>OPRIA</u>
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	OTHER DOCU	MENTS (in	ncluding Author, Title, Date, Perl	tinent pages, et	tc.)		

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.